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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**
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14 JENNY A. HUNT, f.k.a. JENNY A. RICCI,
15 Plaintiff,
16 v.
17 WASHOE COUNTY SCHOOL DISTRICT, a
political subdivision of the State of Nevada,
18 Defendant.
19

CASE NO.: 3:18-cv-00501-LRH-WGC

**MOTION FOR LEAVE TO FILE
NOTICE OF SUPPLEMENTAL
AUTHORITY**

20 Defendant Washoe County School District (“Defendant” or “the School District”) submits
21 this Motion for Leave to file Notice of Supplemental Authority in support of its Motion to Dismiss
22 (“Motion”) [ECF No. 7] the Complaint filed by Plaintiff Jenny A. Hunt, formerly known as Jenny A.
23 Ricci (“Plaintiff” or “Hunt”), and in support of its Opposition [ECF No. 18] to Hunt’s Motion for
24 Leave to Amend.

25 Pursuant to LR 7-2(g), a party may file a notice of supplemental authorities with leave of the
26 Court granted for good cause. Good cause exists where, for example, the supplemental authorities
27 “control the outcome” of the litigation. *See JP Morgan Chase Bank v. Resources Group, LLC*, 2018
28 WL 894612, at *5 (D. Nev., Feb. 13, 2018).

1 Here, the School District seeks leave to file notice of a supplemental authority. Specifically,
2 the School District wishes to bring NRS 388.1215 to the Court's attention. NRS 388.1215 provides
3 that "'Administrator' means the principal, administrator or other person in charge of a school." This
4 definition makes clear that an executive director such as Hunt is not an administrator because she was
5 not in charge of a school. Accordingly, this statute bolsters the conclusion that the protections set
6 forth in NRS Chapter 391 do not apply to top ranking, leadership/executive employees such as Hunt.

7 Because Hunt's Due Process claim is dependent upon the statutory protections of NRS
8 Chapter 391, the inapplicability of those provisions is fatal to her claim. Thus, NRS 388.1215
9 controls the outcome of a significant aspect of this litigation. Accordingly, there is good cause to
10 grant the School District leave to file notice of this supplemental authority. A copy of the School
11 District's proposed filing is attached as "**Exhibit 1.**"

12 DATED this 14th day of May, 2019.

13 SIMONS HALL JOHNSTON PC

14 By: /s/ Ricardo Cordova
15 Anthony L. Hall, Esq. (NV Bar No. 5977)
16 Ricardo N. Cordova, Esq. (NV Bar No. 11942)
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1 **PROOF OF SERVICE VIA ELECTRONIC SERVICE**

2 I, Jennifer L. Smith, declare:

3 I am employed in the City of Reno, County of Washoe, State of Nevada by the law offices
4 of Simons Hall Johnston PC. My business address is 6490 S. McCarran Blvd., Ste. F-46, Reno, NV
5 89509. I am over the age of 18 years and not a party to this action.

6 On May 14, 2019, I served the foregoing **MOTION FOR LEAVE TO FILE NOTICE OF**
7 **SUPPLEMENTAL AUTHORITY** by causing the document to be served via electronic service
8 through the Court's CM ECF electronic filing system, addressed as follows:

9
10 Francis C. Flaherty
11 Casey C. Gillham
12 DYER LAWRENCE, LLP
13 2805 Mountain Street
14 Carson City, Nevada 89703
fflaherty@dyerlawrence.com
cgillham@dyerlawrence.com
Attorneys for Plaintiff Jenny A. Hunt

15 I declare under penalty of perjury under the laws of the United States that the foregoing is
16 true and correct, and that this declaration was executed on May 14, 2019.

17 /s/ Jennifer L. Smith
18 Employee of Simons Hall Johnston PC
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